

Message Text

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ORIGIN OES-05

INFO OCT-01 EUR-12 ISO-00 L-03 ERDA-05 ACDA-05 CIAE-00

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DRAFTED BY OES/NET/IM:D.HOYLE

APPROVED BY OES/NET/IM:D.HOYLE

ERDA - P. BRUSH

L/OES - R. BETTAUER

EUR/CAN - D. BLAKEMORE (SUBS)

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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA IMMEDIATE

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E.O. 11652:

TAGS: TECH, ENGR, CA

SUBJECT: INTERIM UNDERSTANDING BETWEEN CANADA AND THE
UNITED STATES RE IMPORTS TO U.S. OF CANADIAN
NATURAL URANIUM

REF: OTTAWA 4742

PASS: MILLER HUDSON, SCIENCE COUNSELOR

1. EMBASSY AUTHORIZED TO EXCHANGE NOTE WITH GOVERN-
MENT OF CANADA ON ABOVE SUBJECT SOONEST. FOR CLARITY, FULL
TEXT OF REVISED U.S. NOTE, AS AGREED BY BLOOMGARD, EXTAFF,
AND HOYLE, OES, REPEATED BELOW. PLEASE NOTE THAT THERE IS
APPARENT REDUNDANCY IN PARA 2 OF NOTE, AND YOU SHOULD SEEK
CANADIAN AGREEMENT TO DELETION OF ONE OR OTHER OF BRACKETED
PHRASES. BEGIN TEXT. THE EMBASSY OF THE UNITED STATES
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PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF EXTERNAL

AFFAIRS AND HAS THE HONOR TO REFER TO DISCUSSIONS WHICH HAVE TAKEN PLACE OVER THE PAST SEVERAL MONTHS CONCERNING ARRANGEMENTS UNDER WHICH CANADIAN ORIGIN NATURAL URANIUM IMPORTED INTO THE UNITED STATES FOR ENRICHMENT AND SUBSEQUENT USE BY OUR UTILITIES IN THE NUCLEAR FUEL CYCLE COULD BE BROUGHT UNDER MUTUALLY ACCEPTABLE PEACEFUL USE GUARANTEES.

THE EMBASSY HAS THE HONOR TO PROPOSE THAT (THE FOLLOWING INTERIM PROCEDURE BE APPLIED TO) SUCH CANADIAN ORIGIN NATURAL URANIUM AS THE GOVERNMENT OF CANADA HAS NOTIFIED THE GOVERNMENT OF THE UNITED STATES IN WRITING AND WHICH THE GOVERNMENT OF THE UNITED STATES HAS ACCEPTED IN WRITING PRIOR TO THE PROPOSED SHIPMENT (SHALL BE SUBJECT TO THE TERMS OF THIS PROCEDURE).

IT IS PROPOSED FURTHER THAT THIS INTERIM PROCEDURE SHALL REMAIN IN EFFECT UNTIL SUCH TIME AS THE GOVERNMENTS OF THE UNITED STATES AND CANADA HAVE ESTABLISHED A MUTUALLY ACCEPTABLE PROCEDURE BY AN AGREEMENT WHICH SHALL TAKE INTO ACCOUNT THE SAFEGUARDS REGIME TO BE ESTABLISHED PURSUANT TO AN AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR THE APPLICATION OF SAFEGUARDS IN THE UNITED STATES.

THE UNITED STATES GOVERNMENT GUARANTEES THAT SUCH URANIUM SHALL NOT BE USED FOR THE DEVELOPMENT, MANUFACTURE OR DETONATION OF ANY NUCLEAR WEAPON OR OTHER NUCLEAR EXPLOSIVE DEVICE.

PRIOR TO THE COMING INTO FORCE OF THE AFOREMENTIONED SAFEGUARDS REGIME BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY, THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION WILL HOLD AT ITS FACILITIES CANADIAN-ORIGIN NATURAL URANIUM IMPORTED UNDER THIS INTERIM PROCEDURE FOR USE IN THE FUEL CYCLE OF DOMESTIC POWER REACTORS. THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION WILL INFORM THE ATOMIC ENERGY CONTROL BOARD WHEN APPROPRIATE ARRANGEMENTS HAVE BEEN MADE WITH THE AFFECTED UNITED STATES UTILITIES TO PERMIT LIMITED OFFICIAL USE

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MIT IT TO IMPLEMENT THIS UNDERSTANDING. WHILE SUCH NATURAL URANIUM IS HELD AT FACILITIES OF THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION, ARRANGEMENTS OF A MUTUALLY SATISFACTORY NATURE WILL BE MADE BETWEEN THE ATOMIC ENERGY CONTROL BOARD OF CANADA AND THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION TO ASSURE COMPLIANCE WITH THE FOREGOING GUARANTEE. DURING SUCH PERIOD, THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION WILL NOT TRANSFER

SUCH NATURAL URANIUM FROM ITS FACILITIES WITHOUT THE PRIOR WRITTEN CONSENT OF THE ATOMIC ENERGY CONTROL BOARD OF CANADA.

UPON THE ENTRY INTO FORCE OF THE AFOREMENTIONED SAFE-GUARDS REGIME, THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION MAY PERMIT THE TRANSFER OF CANADIAN-ORIGIN NATURAL URANIUM IMPORTED PURSUANT TO THIS INTERIM PROCEDURE TO FACILITIES IN THE UNITED STATES WHICH ARE SUBJECT

TO THE PROVISIONS OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR THE APPLICATION OF SAFEGUARDS IN THE UNITED STATES, OR TO SUCH OTHER FACILITIES AS MAY BE MUTUALLY AGREED.

TO FACILITATE IMPLEMENTATION OF THIS PROCEDURE, THE ATOMIC ENERGY CONTROL BOARD WILL ADVISE THE ENERGY RESEARCH DEVELOPMENT ADMINISTRATION PRIOR TO THE IMPORT INTO THE UNITED STATES OF NATURAL URANIUM SUBJECT TO THIS INTERIM PROCEDURE.

IF THE ABOVE PROPOSAL IS AGREEABLE TO YOUR GOVERNMENT, THIS INTERIM UNDERSTANDING SHALL ENTER INTO FORCE UPON RECEIPT BY THE EMBASSY OF WRITTEN NOTIFICATION TO THAT EFFECT. THE UNDERSTANDING SHALL REMAIN IN FORCE UNTIL IT TERMINATES IN ACCORDANCE WITH ITS PROVISIONS.

THE EMBASSY OF THE UNITED STATES TAKES THIS OPPORTUNITY TO RENEW TO THE DEPARTMENT OF EXTERNAL AFFAIRS THE ASSURANCES OF ITS HIGHEST CONSIDERATION. END TEXT.

2. AT THE TIME NOTES ARE EXCHANGED, CANADA ALSO WILL LIMITED OFFICIAL USE

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PROVIDE, PURSUANT TO PARAGRAPH 2 OF U.S. NOTE, AN APPROPRIATE WRITTEN NOTIFICATION THAT THE U.S. UTILITIES THAT HAVE PENDING SHIPMENTS ARE WASHINGTON PUBLIC POWER SUPPLY SYSTEM (WPPSS) AND PORTLAND GENERAL ELECTRIC. THE CANADIANS ARE EXPECTED TO REQUEST THAT WE RESTRICT DISSEMINATION OF THEIR NOTIFICATION BECAUSE OF CANADIAN COMMERCIAL INFORMATION WHICH IT IS EXPECTED TO CONTAIN. SCICOUNS SHOULD BE PREPARED TO PROVIDE CORRESPONDING U.S. ACCEPTANCE PREFERABLY IN FORM WHICH ELIMINATES COMMERCIAL SENSITIVE INFORMATION AND DOES NOT RPT NOT REQUIRE RESTRICTION OF DISSEMINATION OF U.S. RESPONSE.

3. PLEASE ADVISE SOONEST, BY PHONE IF FEASIBLE, WHEN NOTES AND RELATED NOTIFICATIONS EXCHANGES. ALSO, ADVISE IF ANY DIFFICULTIES ANTICIPATED IN ISSUANCE OF CANADIAN EXPORT

PERMITS BY CONTROL BOARD PRIOR TO DECEMBER 31. KISSINGER

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